

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES  
SENTENCING

JUL - 6 2006

MARY L.M. MORAN  
CLERK OF COURT

CASE NO.: CR-03-00024

DATE: July 05, 2006

HON. Wm. FREMMING NIELSEN, Designated Judge, Presiding

Law Clerk: Mary Lou Johnson

Court Reporter: Wanda Miles

Courtroom Deputy: Leilani Toves Hernandez

Electronically Recorded: 8:10:39 - 8:33:05

CSO: B. Pereda

**APPEARANCES:**

Defendant: Cho Sum Leung

Attorney: Cynthia V. Ecube

☒ Present ☒ Custody  
☐ Secured Bond ☐ Unsecured Bond  
☐ P.R.

☒ Present  
☐ Retained ☐ FPD  
☒ CJA

U.S. Attorney: Marivic P. David

U.S. Agent:

U.S. Probation: Judy Ocampo

U.S. Marshal: V. Roman

Interpreter: Foo Mee Chun Clinard

Language: Cantonese

☐ Sworn ☒ Previously Sworn

**PROCEEDINGS: Sentencing**

- Court Stated the Appropriate Base Offense Levels:  
Base Offense Level: 38  
Total Offense Level: 28  
Criminal History Category: I
- No Objections by the Government and Defense
- Attorney for Defendant Addressed the Court and Made its Recommendation
- Defendant Addressed the Court and Apologized
- Government Addressed the Court and Made its Recommendation
- Motion for Downward Departure Granted
- Defendant Committed to the Bureau of Prisons for a Term of 78 months with credit for time served.
- Upon Release from Imprisonment, Defendant Is Placed on Supervised Release for a Term of 3 years, with Conditions (Refer to Judgment for Conditions of Supervised Release)
- All Fines Waived by the Court
- Defendant Was Ordered to Pay a Special Assessment Fee of \$100.00.
- Court Stated the Justification of the Sentence Imposed
- Defendant Was Advised of His Appeal Rights
- Defendant Remanded to the Custody of the U.S. Marshals Service

NOTES: Government moved to Dismiss Counts II and III - Granted.